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Marine Fisheries Regulation Summaries
as of January, 2001

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Publication No. 18568 - 40 - 200 - 2/01 - 1.45 - C.R.
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MARINE FISHERIES REGULATION SUMMARIES

as of January 2001

Updated by Brian Kelly, Aquatic Biologist II

These documents are updated annually to serve as a companion document to Mass. General Laws, Chapter 130 and rules and regulations 322 CMR.

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Please contact the authors for more information or suggestions.

Refer to Chapter 130 and 322 CMR for details.

The following regulatory changes occurred in 2000 and will be in effect for 2001:
Note: This is not a comprehensive list of all regulatory changes enacted during these two years. It does NOT include regulations changed by emergency action that expired and are no longer in effect, nor does it include regulations that have been superseded by more recent changes.

- New groundfishing rules enacted to complement federal rules: cod possession limit increased to 400 lbs for vessels fishing north of Cape Cod, including all of Cape Cod Bay and waters east of Cape Cod north of 42 degrees latitude. For waters east and south of Cape Cod below 42 degrees latitude, cod trip limit of 2000 lbs established. [CMR 6.03(5)]. Effective January 2000.

- Three regulatory changes enacted regarding lobster: (1) V-notched female definition deleted certain language [CMR 6.02] (2) fishermen prohibited from placing trap tags on their traps that were issued to other fishermen [CMR 6.31] (3) lobster processing regulations changed to reference Department of Public Health statutes and federal HAACP regulations [CMR 6.32]. Effective January 2000.

- Recreational limit on striped bass increased to 30" and opening day of commercial season is Monday, July 3, 2000 [CMR 6.07]. Minimum size of eels was increased from 4" to 6", recreational harvest limit set at 50 eels, and new permit/reporting requirements were established [CMR 6.30]. New horseshoe crab regulations established Saturday and Sunday as no fishing days, daily catch limit of 1,000 crabs, and a mechanism to close certain areas as needed [CMR 6.34]. Effective March 2000.

- Summer flounder regulation changes enacted include (1) longliners allowed to possess up to 100 lbs during the 2000 squid season from April 23 through closure date [CMR 6.22] (2) recreational fishermen have minimum size increased to 15 ½" [CMR 6.09] and open season is May 10 - October 2, 2000 [CMR 6.22]. Effective April 2000.

- Enacted scup commercial landing possession limits for 2000 fishing period of May 1-October 31 [CMR 6.28(2)]. Effective April 2000.

- New regulation [CMR 6.35] enacted dogfish possession limits, state landing quota, rules regarding use of gillnets and eligibility requirements for dogfish gillnetting in state waters. Effective April 2000.

- No fishing days for sea herring fishery in inshore Gulf of Maine were enacted. [CMR 9.01, 9.04]. Effective August 2000.

Regulation enacted new small-mesh raised-footrope trawling area in upper Cape Cod Bay/lower Stellwagen Bank in federal waters for whiting September 1-November 20. [CMR 8.07, 8.12, 8.14]. Effective September 2000.

- Amended sea herring spawning closure rules to comply with ASMFC interstate plan. [CMR 9.01, 9.02, 9.04]. Effective September 2000.

- Sea urchin dredge fishery season shifted to November 1 - end February. [CMR 6.24]. Effective September 2000.

- Established 2 seasonal groundfish closures to complement federal rules (1) January-April and October-November closure in upper Cape Cod Bay/Massachusetts Bay (2) May closure east of Cape Cod. [CMR 8.12]. Effective September 2000

- Emergency closure enacted for lobster pots in portion of Upper Cape Cod Bay Whiting Area to prevent proliferation of fixed gear in the trawling area; may be needed again in 2001. [CMR 8.14(1)(c)]. Effective October 2000.

- Established closure mechanism for DMF to respond to unexpected levels of groundfish by-catch in Upper Cape Cod Bay Whiting Fishery. [CMR 8.14(3)]. Effective December 2000 (will be re-proposed in 2001).

Refer to Chapter 130 and 322 CMR for details.

- Northern shrimp season for 2000-2001 shortened to 40 days (open January 9 - March 17), and removal of prohibition of Sunday fishing. [CMR 5.00]. Effective December 2000.

- Recreational minimum size of striped bass decreased from 30" to 28". Requirement for dealers to tag striped bass at point of first sale was repealed. High grading of bass was prohibited [CMR 6.07]. Commercial seasonal possession limits for scup and black sea bass [CMR 6.28] were amended consistent with the interstate management plan. Effective December 2000.

- Decreased landing/possession limit for recreational scup anglers from 50 to 25 fish/angler with limit of 100 fish/vessel. Party/charter boat anglers were exempted from bag limit. [CMR 8.06]. Effective December 2000.

- The five month Upper Cape Cod Bay/Massachusetts Bay commercial groundfish closure amended by extending the closure to include the month of January. Commercial harvest of codfish by hook gear was exempted from the closure during January [CMR 8.12] Effective December 2000.

- The prohibition on non-conforming fishing gear in the Cape Cod Bay Critical Habitat was clarified (emergency regulation in February 2000 and later filed as a permanent regulation). [CMR 4.13(3)(e), 12.02-12.06]. Effective December 2000.

- Regulation clarified prohibition on non-conforming fixed fishing gear in Cape Cod Bay Critical Habitat [CMR 12.02-12.06]. Effective March 2000.

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **GILLNETTING (Fishing on or near bottom)**

PERMIT REQUIRED: (1) Commercial Fishermen

	Resident	Non Res.
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Regulated fishery endorsement	$30	$60

AND, if certain species are being taken or landed,
(3) Species-specific endorsements for summer flounder (fluke), scup, sea herring, dogfish, black sea bass.....$30 $60

PERMIT LIMIT: Regulated fishery gillnet endorsement limited to renewals only.

REPORTING REQUIREMENTS: Catch reports required. Forms supplied by DMF.

GEAR RESTRICTIONS:

- Mesh minimum size: 6" (stretched) [CMR 8.11(11)].
- Net maximum length: 2400 feet [CMR 4.13(4)].
- Marking [CMR 4.13]
  East end -- high flyer and 12" tetrahedral radar reflector.
  West end -- high flyer, flag, and tetrahedral radar reflector.
- Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
Mass. Bay adjacent to Boston Harbor	May 15 - Nov 1	CMR 4.11
East of Cape Cod	May 1 – May 31	CMR 8.12
South of Cape Cod including around Martha's Vineyard & Nantucket	April 1 - Nov 15	CMR 4.09
North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
Groundfish Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	January 1-April 30 and Oct 1 – Nov 30	CMR 8.12
Groundfish Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12

Refer to Chapter 130 and 322 CMR for details.

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
Cape Cod Bay Critical Habitat	January 1- May 15	CMR 12.06
Inshore Net Areas (estuaries and harbors, includes Buzzards Bay)	Year-round (see "Gillnetting with inshore net endorsement".)	CMR 4.02
Fish Weir Buffer Zone	Year-round	CMR 4.04

SPECIES BANNED TO THIS GEAR: Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04], all billfish [CMR 6.11], lobster (must also have a coastal lobster permit).

Other Relevant Restrictions: Federal marine mammal regulations apply to all commercial gillnetters fishing in state waters; be mindful that these federal rules apply as they supercede state fishing regulations. "Pingers" are required in certain seasons and areas to reduce the incidental take of harbor porpoise, and these rules are subject to change. Also federal regulations require certain gillnet gear specifications to reduce the risk of entanglement with large whales. Contact NMFS for details.

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **GILLNETTING (Fishing on or near surface)**

PERMIT REQUIRED:

		Resident	Non Res.
(1) Commercial Fishermen			
	Boat 99+ feet Coastal or Offshore Lobster	$260	$520
	Boat 60 - 99 feet	$195	$390
	Boat 59 feet or less	$130	$260
	or		
	Individual	$65	$130
AND (2)	Regulated fishery endorsement	$30	$60

REPORTING REQUIREMENTS: None.

GEAR RESTRICTIONS:
- Mesh minimum size: None.
- Net maximum length: 2400 feet [CMR 4.13(4)].
- Marking [CMR 4.13]
  - East end -- high flyer and 12" tetrahedral radar reflector.
  - West end -- high flyer, flag, and tetrahedral radar reflector.
- Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
East of Cape Cod	May 1 – May 31	CMR 8.12
South of Cape Cod including around Martha's Vineyard & Nantucket	April 1 - Nov 15	CMR 4.09
Cape Cod Bay Critical Habitat	January 1- May 15	CMR 12.06
Inshore Net Areas (estuaries and harbors includes Buzzards Bay)	Year-round (see "Gillnetting with inshore net permit".)	CMR 4.02
Fish Weir Buffer Zone	Year-round	CMR 4.04

SPECIES BANNED TO THIS GEAR: Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04], all billfish [CMR 6.11].

SPECIAL RESTRICTIONS: See "Gillnetting for Bluefish" summary.

Other Relevant

Refer to Chapter 130 and 322 CMR for details.

Restrictions:

Federal marine mammal regulations apply to all commercial gillnetters fishing in state waters; be mindful that these federal rules apply as they supercede state fishing regulations. "Pingers" are required in certain seasons and areas to reduce the incidental take of harbor porpoise, and these rules are subject to change. Also federal regulations require certain gillnet gear specifications to reduce the risk of entanglement with large whales. Contact NMFS for details

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **GILLNETTING for Bluefish.**

Defined when catch for any 30 consecutive days is 50% or more bluefish.

PERMIT REQUIRED:

	Resident	Non Res.
(1) Commercial Fishermen		
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Regulated fishery endorsement	$30	$60

PERMIT LIMIT: Permits to gillnet for bluefish south of a line from the Cape Cod Canal to P'town including all waters south and west of Cape Cod are issued only to those individuals who held a bluefish gillnet Regulated fishery endorsement in 1982 [CMR 4.05].

REPORTING REQUIREMENTS: Catch reports required. Forms supplied by DMF.
Commercial fishermen shipping bluefish to out of state dealers are required to become authorized dealers [CMR 4.05(2&4)].

GEAR RESTRICTIONS:
· Mesh minimum size: 5" (stretched) [CMR 4.05(5)].
· Net maximum length: 1500 feet [CMR 4.05(5)].
· Marking [CMR 4.13]
East end -- high flyer and 12" tetrahedral radar reflector.
West end -- high flyer, flag, and tetrahedral radar reflector.
· Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
Southeastern CCBay	Year-round	CMR 4.05(10)
East of Cape Cod	May 1 – May 31	CMR 8.12
Cod Spawning Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	January 1-April 30 and Oct 1 – Nov 30	CMR 8.12
Cod Spawning Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12
Mass. Bay adjacent to Boston Harbor	May 15 - Nov. 1	CMR 4.11
Cape Cod Bay Critical Habitat	January 1- May 15	CMR 12.06
Inshore Net Areas	Year-round	CMR 4.02

Refer to Chapter 130 and 322 CMR for details.

(estuaries and harbors includes Buzzards Bay)	(see "Gillnetting with inshore net permit".)	
Fish Weir Buffer Zone	Year-round	CMR 4.04

SPECIAL RESTRICTIONS:

- Nets must be tended at all times [CMR 4.05(5)].
- Night fishing is prohibited [CMR 4.05(5)].
(½ hour after sunset to ½ hour before sunrise)
- Daily possession limit and quota set annually [CMR 4.05(3)].

SPECIES BANNED TO THIS GEAR:

Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04], all billfish [CMR 6.11].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **GILLNETTING for Dogfish.**
Defined when target catch is dogfish.

PERMIT REQUIRED: (1) Commercial Fishermen

	Resident	Non Res.
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Regulated fishery endorsement	$30	$60

PERMIT LIMIT: Endorsements available only to those gillnetters who have fished 3 of the last 5 years with gillnets in state waters for dogfish [CMR 6.35].

REPORTING REQUIREMENTS: Catch reports required. Forms supplied by DMF.

GEAR RESTRICTIONS:
· Mesh minimum size: 6 1/2" (stretched) [CMR 6.35(5)].
· Net maximum length: 300 feet [CMR 6.35].
· Limit to fishing 30 (thirty) 300-foot gillnets at any one time with no string of gillnets exceeding 2,400 feet in total length [CMR 6.35]

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
East of Cape Cod	May 1 – May 31	CMR 8.12
Southeastern CCBay	Year-round	CMR 4.05(10)
Cod Spawning Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	January 1-April 30 and Oct 1 – Nov 30	CMR 8.12
Cod Spawning Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12
Mass. Bay adjacent to Boston Harbor	May 15 - Nov. 1	CMR 4.11
Cape Cod Bay Critical Habitat	January 1- May 15	CMR 12.06
Inshore Net Areas (estuaries and harbors includes Buzzards Bay)	Year-round (see "Gillnetting with inshore net permit".)	CMR 4.02
Fish Weir Buffer Zone	Year-round	CMR 4.04

SPECIAL RESTRICTIONS: · Nets must be tended at all times [CMR 6.35].

· Night fishing is prohibited [CMR 6.35].
(½ hour after sunset to ½ hour before sunrise)
· Daily possession limit of 7000 lbs for state waters (600 lbs for federal waters) and quota set annually. Possession limit is 600 lbs for boats with gillnets having a mesh less than 6 ½" or for boats not tending their nets or soaking their nets overnight.
· Minimum size of 31" [CMR 6.35].

SPECIES BANNED TO THIS GEAR:

Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04], billfish [CMR 6.11], and regulated groundfish

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **GILLNETTING, TRAWLING, PURSE SEINING, or HAUL SEINING with inshore net Regulated fishery endorsement.**

PERMIT REQUIRED:

(1) Commercial Fishermen	Resident	Non Res.
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Regulated fishery endorsement	$30	$60

Note: No special permit needed to fish with a net less than 200 square feet for baitfish for personal use [CMR 4.02(5)].

REPORTING REQUIREMENTS: Varies with fishery. Some yearly catch reports required.

GEAR RESTRICTIONS:

· Mesh minimum size: Variable. DMF discretion.
· Net size: Variable. DMF discretion.
· Gillnet Marking: unless waived by DMF, CMR 4.13 applies:
  East end -- high flyer and 12" tetrahedral radar reflector.
  West end -- high flyer, flag, and tetrahedral radar reflector.
· Vessel maximum size: 90 feet registered length [CMR 8.05].

PERMIT LIMITATIONS: Although fishing with nets is generally prohibited in the Inshore Net Areas, permits are occasionally issued to individuals to fish for species other than flounder. The applicant must list - and is limited to - the target species, gear type, and fishing area. See CMR 4.02 for descriptions of inshore net areas.

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
All state waters closed to night mobile gear fishing	Year-round	CMR 8.03

SPECIES BANNED: Any species not listed on permit is banned.
Note: winter flounder netting is banned year round in defined inshore net areas that include Mt. Hope Bay and Buzzards Bay [322 CMR 6.23(4)].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **PURSE SEINING for SEA HERRING or MENHADEN**

PERMIT REQUIRED:

		Resident	Non Res.
(1) Commercial Fishermen			
	Boat 99+ feet Coastal or Offshore Lobster	$260	$520
	Boat 60 - 99 feet	$195	$390
	Boat 59 feet or less	$130	$260
	or		
	Individual	$65	$130
AND (2) Regulated fishery endorsement for sea herring		$30	$60

REPORTING REQUIREMENTS: No catch reports are presently required.

GEAR RESTRICTIONS: The 90' vessel size limit [CMR 8.05] does **not** apply to vessels fishing in state waters, but vessels >165 feet - 3,000 HP cannot land herring in the Commonwealth [CMR 9.03].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
All State Waters* closed to sea herring	Aug 1 - Oct 31	CMR 9.02
Inshore Net Areas** (estuaries and harbors, and includes Buzzards Bay)	Year-round	CMR 4.02
Eastern Cape Cod Bay*** (Dennis to Wellfleet)	Year-round	CMR 4.01(1a)
Fish Weir Buffer Zone	Year-round	CMR 4.04

* During the annual sea herring spawning closure, vessels fishing in other fisheries are allowed a by-catch of 10 % herring by weight. The Sea Herring Management Plan is under review by NMFS and ASMFC: seasonal no-fishing days may apply – see CMR 9.02(3); contact DMF for details.

**Inshore Net Regulated fishery endorsement required to gain access to these areas year-round.

*** Regulated fishery endorsement may be issued to fish in this area. Vessels seeking to fish in a restricted area from Rock Harbor, Orleans to Jeremy Point, Wellfleet are further restricted. See CMR 4.01(2).

SPECIES BANNED TO THIS GEAR: Striped bass [CMR 6.07] and shad [CMR 4.12], smelt [Ch.130 sec. 35], tuna [CMR 6.04], all billfish [CMR 6.11].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **MOBILE GEAR: Otter and Beam Trawls, Scallop Dredges, Bottom Pair Trawls, Scottish/Danish Seines and Pair Seines.**

*(With **NO** Regulated fishery endorsements for small mesh fishing, north shore mobile gear, or inshore net.*
See separate sheets for other permits.)

PERMIT REQUIRED:

	Resident	Non Res.
(1) Commercial Fishermen		
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Mobile Gear Coastal Access Endorsement	$30	$60
AND, if certain species are being taken or landed,		
(3) Species-specific endorsements for summer flounder (fluke), scup, sea herring dogfish, sea bass	$30	$60

PERMIT LIMIT:
· Coastal Access Permits limited to those who held permit in 1994 [CMR 7.05(13)].
· Coastal Access Permits are transferable [CMR 7.06 & 7.05(1)]

REPORTING REQUIREMENTS: No catch reports required.

GEAR RESTRICTIONS:
Mesh minimum size [CMR 8.07] (See chart for boundaries):
· north & east of Cape Cod - 6" diamond or 6½" square required year-round.
· south of Cape Cod - 6" diamond or 6½" square required Nov. 1 - April 22.
- 4½" required June 1 - Oct. 31.
Note: 100 lb limit on combined flounder(s) when fishing south of Cape Cod with mesh less than 6" in possession [CMR 8.07(1g)].

Vessel maximum size: 72 feet length overall except as noted in [CMR 7.05 (13)].
Net rollers: 12" maximum diameter [CMR 8.04].
Scallop dredge: - Combined maximum 10-foot width in possession [CMR 4.10(1)].
- 3 ½" minimum ring size [CMR 4.10(3)].
Net strengtheners: Alterations which obstruct or diminish meshes prohibited, including the use of "twisted mesh" [CMR 8.07(8)].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
All state waters closed to night fishing	Year-round	CMR 8.03
East of Cape Cod	May 1 – May 31	CMR 8.12
Groundfish Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	January 1-April 30 and Oct 1 – Nov 30	CMR 8.12

Refer to Chapter 130 and 322 CMR for details.

CLOSURES (continued):	Location	Duration	Regulation
	Groundfish Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12
	Inshore Net Areas (estuaries and harbors, includes Buzzards & Mt Hope Bays)	Year-round (See "Trawling with Inshore Net Permit")	CMR 4.02
	Nantucket Sound (1A) (Off Nantucket Island)	April 1 - April 30	CMR 3.04(7)
	Nantucket Island (1B) (Great Pt. to Nant. Harbor)	April 1 - April 30 & June 1 - Sept 15	CMR 3.04(8)
	Cape Cod backside (2A): from Nauset Light around Monomoy to Succonnessett Pt., Mashpee	May 1 - Oct 31	CMR 3.04(6)
	Succonnessett Pt., Mashpee to Nobska Pt., Falmouth (1/4 mile)	April 23 - May 3	CMR 3.04(10a)
	Succonnessett Pt., Mashpee to Nobska Pt., Falmouth (½ mile)	June 1 - Oct 31	CMR 3.04(10b)
	Nobska Pt., Falmouth to Cuttyhunk (1/4 mile)	May 1 - Oct 31	CMR 3.04(11)
	North of Cape Cod inside spawning closure line from P'town to N.H.	Feb 1 - May 31	CMR 8.09
	Area 2B from Provincetown to Plymouth	May 1 - Oct 31	CMR 3.04(5)
	Area 3 from Plymouth to Hull	April 1 - Oct 31	CMR 3.04(4)
	Area 4 off outer Boston Harbor	April 1 - Dec 31	CMR 3.04(3)
	North Shore state waters (Broad Sound to New Hampshire) except for Areas 5 & 6 where Regulated fishery endorsement is required.	Year-round	CMR 3.04(2)
	Fish Weir Buffer Zone	Year-round	CMR 4.04

SPECIES BANNED TO THIS GEAR:

· Lobster: [Ch. 130 sec. 37]. Note CMR 4.06(7) which restricts mobile gear fishermen seen fishing in state waters to only 100 lobsters (taken from federal waters) in possession.

· Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec.35], tuna [CMR 6.04], billfish [CMR 6.11].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **MOBILE GEAR: Otter and Beam Trawls, Bottom Pair Trawls, Scottish/Danish Seines and Pair Seines.**

With Regulated fishery endorsements for the following:
(A) North Shore Mobile Gear: access to Areas 5 & 6
(B) Small-mesh fishing for pout, whiting, dogfish
(C) Small-mesh fishing for squid
Permits required for each; Coastal Access Permit may be endorsed for North Shore Mobile Gear access or for the use of small mesh for pout, whiting, dogfish, or squid.

PERMIT REQUIRED:

	Resident	Non Res.
(1) Commercial Fishermen		
Boat 99 feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Coastal Access Permit endorsement	$30	$60

(CAP can be endorsed for one of the regulated fisheries at no charge, and each additional endorsement costs an additional $30/$60.)

AND, if certain species are being taken or landed,
(3) Species-specific endorsements for summer flounder (fluke), scup, sea herring, sea bass, dogfish.....$30 $60

(A) North Shore Mobile Gear Endorsement:

PERMIT RESTRICTIONS:
· Coastal Access Permits limited to those who held permit in 1994 [CMR 7.05(13)].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
All state waters closed to night fishing.	Year-round	CMR 8.03
When permitted to fish in areas 5 & 6 the following closures apply:		
Area 5 off Rockport	April 1 - June 14 Oct 1 - Jan 31	CMR 3.04(2b)
Area 6 from Rockport to New Hampshire	April 1- Dec 14	CMR 3.04(2a)

REPORTING REQUIREMENTS: Annual reports of monthly catch required.

Refer to Chapter 130 and 322 CMR for details.

Mobile gear fishing continued...

GEAR RESTRICTIONS:

· Mesh minimum size: 6" diamond or 6½" square unless use of smaller mesh is permitted. See (B) Small mesh permits.
· Trawl sweep (footrope) maximum length: 80 feet [CMR 3.04(2c)].
· Vessel maximum size: 72 feet length overall except as noted in [CMR 7.05 (13)].
· No rollers: Only chain, wire or disk sweeps allowed [CMR 3.04(2c)].

SPECIES BANNED TO THIS GEAR:

· Possession of lobsters is prohibited [CMR 3.04(2c)].

(B) Small-Mesh Endorsement for Whiting:

PERMIT RESTRICTIONS:

· **Whiting** permit valid during Sep 1 – Nov 20 in upper Cape Cod Bay Whiting Area [CMR 8.14] and only **September 1 - 30**, in Area 5 off Cape Ann.

AREA/SEASON CLOSURES:

· Fishing for whiting in Cape Cod Bay is allowed only in the approved portion of Cape Cod Bay and during Sept 1 – Nov 20.

REPORTING REQUIREMENTS:

Catch reports may be required. Contact DMF for details.

GEAR RESTRICTIONS:

Upper Cape Cod Whiting Area:

Mesh Minimum Size:	2 1/2"
Vessel Maximum Size:	72 feet length overall except as noted in [CMR 7.05 (13)].
Groundgear:	Raised footrope trawl required [CMR 8.14(2)].

SPECIES BANNED TO THIS GEAR:

No retention of any of the 10 federally regulated groundfish species (types of flounders, cod, haddock, or pollack) unless authorized by Director [CMR 8.07].

(c) Small-Mesh Permits for Squid:

PERMIT RESTRICTIONS:

·Permit only valid **April 23 - May 31** [CMR 8.08(7)]. Director may extend to June 15 [CMR 8.07(1e)].
·Fishery limited to waters south of Cape Cod [CMR 8.07].
·Possession limit of 100 lbs. combined of winter flounder, summer flounder, yellowtail flounder, or windowpane flounder [CMR 8.07(1g)].

REPORTING REQUIREMENTS: None.

GEAR RESTRICTIONS:

Mesh Minimum Size:	May be established as permit condition.
Vessel Maximum Size:	72 feet length overall [CMR 7.05 (13)].
Net Rollers:	12" diameter [CMR 8.04].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
All state waters closed to night fishing	Year-round	CMR 8.03
Inshore Net Areas (estuaries and harbors, includes Buzzards Bay and Mt. Hope Bay)	Year-round (See "Trawling with Inshore Net Permit")	CMR 4.02
Nantucket Sound (1A) (Off Nantucket Island)	April 1 - April 30	CMR 3.04(7)
Nantucket Island (1B) (Great Pt. to Nant. Harbor)	April 1 - April 30 & June 1 - Sept 15	CMR 3.04(8)
Cape Cod backside (2A): from Nauset Light around Monomoy to Succonnessett Pt., Mashpee	May 1 - Oct 31	CMR 3.04(6)
Succonnessett Pt., Mashpee to Nobska Pt., Falmouth (1/4 mile)	April 23 - May 31	CMR 3.04(10a)
Succonnessett Pt., Mashpee to Nobska Pt., Falmouth (½ mile)	June 1 - Oct 31	CMR 3.04(10b)
Nobska Pt., Falmouth to Cuttyhunk (1/4 mile)	May 1 - Oct 31	CMR 3.04(11)
Fish Weir Buffer Zone	Year-round	CMR 4.04

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **NORTHERN SHRIMP: Small-mesh Fishing in Federal Waters**

PERMIT REQUIRED:

		Resident	Non Res.
(1) Commercial Fishermen			
	Boat 99+ feet Coastal or Offshore Lobster	$260	$520
	Boat 60 - 99 feet	$195	$390
	Boat 59 feet or less	$130	$260
	or		
	Individual	$65	$130
AND (2) Northern Shrimp Regulated fishery endorsement		$30	$60

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
·All state waters closed to shrimp fishing.	Year-round	CMR 8.07

·For 2001: No fishing for or landing of shrimp on any Sunday. The following are the open fishing dates for the 2001 season: January 9 - March 17 and April 16 - 30.

GEAR RESTRICTIONS:

·Codend Mesh Minimum Size: 1 3/4" [322 CMR 5.05(1)].
·Nordmore grate (single or double) or other approved finfish excluder device required [CMR 5.05(5,7) & 5.06(4)].
·Maximum distance between trawl doors and trawl wings, including ground cables, bridles, etc. shall not exceed 15 fathoms. Bottom legs bare wire or chain [CMR 5.05(6)].
·Chafing gear and cod-end net strengtheners now allowed.

Other restrictions may apply. Shrimp regulations are amended by the states of Maine, New Hampshire, and Massachusetts each fall for this winter/spring fishery. Contact DMF for details.

SPECIES BANNED TO THIS GEAR:

·No landing of any of the 10 regulated groundfish species bycatch. See regulation for list of species [CMR 5.06(7) & 5.02].
·Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch. 130 sec. 35] tuna [CMR 6.04], all billfish [CMR 6.11].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **SURF CLAM DREDGING**

PERMIT REQUIRED:

		Resident	Non Res.
(1) Commercial Fishermen			
	Boat 99 feet Coastal or Offshore Lobster	$260	$520
	Boat 60 - 99 feet	$195	$390
	Boat 59 feet or less	$130	$260
	or		
	Individual	$65	$130
AND (2) Regulated fishery endorsement		$30	$60

PERMIT LIMIT:
·Surf clam Regulated fishery endorsement limited to those who held a permit and can document landings from state waters prior to 2/4/93 [CMR 6.08(3)(d)].
·Surf clam Regulated fishery endorsement is transferable.

REPORTING REQUIREMENTS:
All commercial surf clam fishermen are required to provide the Director with a monthly record of the areas fished, ports landed, and a daily record of surf clams harvested [CMR 6.08(5)(a)]. Forms supplied by DMF.

GEAR RESTRICTIONS:
Hydraulic dredge limited to 100 inch effective fishing width south of Chatham, then south and west within state waters to the MA/RI border [CMR 6.08(3)(b)].
· Hydraulic dredge limited to 48 inch effective fishing width in all waters not included above [CMR 6.08(3)(b)].
· Limited to operation of one dredge. [CMR 6.08(3)(b)2]
· Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON CLOSURES:
All state waters closed to night fishing year-round [CMR 8.03].
Many closures apply [CMR 6.08(2)and(6)]. Contact DMF.
· November 1 - April 30 no dredging of surf clams shoreward of the 12-foot depth contour from Point Allerton, Hull to the RI border [CMR 6.08(2a)].
· May 1 - October 31 no dredging of surf clams shoreward of the 20-foot depth contour from Point Allerton, Hull to the RI border [CMR 6.08(2b)].

SPECIES BANNED TO THIS GEAR:
Bay Scallops, and quahogs (M. mercenaria) unless licensed by town where fishing for those species [CMR 6.08(5)(c)].

LIMITS:
· Surf clam minimum size limit 5" shell diameter [CMR 6.08(3)(c)].
· Limit of 200 bushels per 24-hour day [CMR 6.08(3)(a)].
· Limit of 400 bushels per 48-hour trip when fishing in state waters[CMR 6.08(3)(a)].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **SURF CLAM DREDGING IN CONTAMINATED AREAS (Harvest for bait purposes from Prohibited areas)**

PERMIT REQUIRED:

(1) Commercial Fishermen	Resident	Non Res.
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Regulated fishery endorsement	$30	$60

PERMIT RESTRICTIONS:
· Fisherman may not hold a Shellfish Transaction Card [CMR 6.08(9)(I)].
· Catch must be landed and distributed according to permit restrictions [CMR 6.08(7)(e)].
· All shellfish must be landed at a location to be named on the permit [CMR 6.08(7)(e)].

REPORTING REQUIREMENTS:
·All commercial contaminated surf clam fishermen are required to provide the Director with a monthly record of the areas fished, ports landed, and a daily record of surf clams harvested by bushel [CMR 6.08(5)(a)&(7)(g)]. Forms supplied by DMF.
·In addition a daily record of sales must be kept[CMR 6.08(7)(g)].
·All bags and containers must be labeled at sea with red tags stating: "CONTAMINATED SHELLFISH - FOR BAIT PURPOSES ONLY" [CMR 6.08(7)(b)].

GEAR RESTRICTIONS:
· Hydraulic dredge limited to 16-inch effective fishing width. [CMR 6.08(3)(b)(3)]
· Limited to operation of one dredge. [CMR 6.08(3)(b)2]
· Vessel maximum size: 90 feet registered length [CMR 8.05].
· Pump limited to 300 GPM at a 10-ft. head

AREA/SEASON CLOSURES:
·All state waters closed to night fishing year-round [CMR 8.03, 6.08(7)(d)].
·Fishing allowed only in areas specifically endorsed on permit [CMR(6.08(7)(a)].
·No fishing in areas classified as approved [CMR 6.08(7)(a)].

SPECIES BANNED TO THIS GEAR:
All other shellfish species.

LIMITS:
· Sea clam minimum size limit 5" shell diameter [CMR 6.08(3)(b)].
· 50-bushel/day limit on shell stock or 100 gallons shucked per 24-hour day [CMR 6.08(7)(f)].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **OCEAN QUAHOG DREDGING**

PERMIT REQUIRED:

		Resident	Non Res.
(1) Commercial Fishermen			
	Boat 99+ feet Coastal or Offshore Lobster	$260	$520
	Boat 60 - 99 feet	$195	$390
	Boat 59 feet or less	$130	$260
	or		
	Individual	$65	$130
AND (2) Regulated fishery endorsement		$30	$60

PERMIT LIMIT:
· Ocean quahog Regulated fishery endorsement limited to those who held a permit and can document landings from state waters prior to 6/3/93 or meet the requirements to fish for surf clams [CMR 6.08(4)(c)].
· Ocean quahog Regulated fishery endorsement is transferable.

REPORTING REQUIREMENTS:
All commercial ocean quahog fishermen are required to provide the Director with a monthly record of the areas fished, times fished, and a daily record of harvest by bushel [CMR 6.08(5)(a)]. Forms supplied by DMF.

GEAR RESTRICTIONS:
· Hydraulic dredge limited to 100 inches effective fishing width. [CMR 6.08(4)(b)(1)]
· Limited to operation of one dredge. [CMR 6.08(4)(b)2]
· Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON CLOSURES:
All state waters closed to night fishing year-round [CMR 8.03].
Many closures apply [CMR 6.08(6)]. Contact DMF.

SPECIES BANNED TO THIS GEAR:
Bay Scallops, and quahogs (M. mercenaria) unless licensed by town where fishing for those species [CMR 6.08(5)(c)].
· Any vessel rigged for ocean quahogs may not possess surf clams [CMR 6.08(4)(b)3].

LIMITS:
· Limit of 26 cages (832 bushels) per 24 hour day [CMR 6.08(4)(a)].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: HOOK AND LINE (includes Rod and Reel)

PERMIT REQUIRED: (1) Commercial Fishermen

	Resident	Non Res.
Boat 99 feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
or		
Rod & Reel	$35	$100

AND, if certain species are being taken or landed,
(2) Species-specific endorsements for summer flounder, striped bass, scup, sea herring, Dogfish, sea bass, American eel.....$30/each

REPORTING REQUIREMENTS: American eel and striped bass reporting requirements, contact DMF.

GEAR RESTRICTIONS:

Hook size is restricted when longlining for cod inside the winter flounder spawning closure area from Feb 1 - May 31. Hooks must exceed 11/16" gape or circle hooks must measure at least ½" inside [CMR 8.09].

Rod & Reel permit holders may not use handlines or longlines.

Maximum vessel size: 90 feet [CMR 8.05].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
Groundfish Closure I: Upper Cape Cod Bay and Mass. Bay (South of Marblehead)	February 1-April 30 and Oct 1 – Nov 30	CMR 8.12
Groundfish Closure II: Marblehead north to N.H.	April 1-May 31	CMR 8.12
Fish Weir Buffer Zone	Year-round	CMR 4.04

Note: Winter flounder nearshore spawning closure from P'town to N.H. (Feb. - May 31) is open for hooking of cod only (with gear restrictions as above) [CMR 8.09], and when area is opened to the harvest of cod as noted above [CMR 8.12].

SPECIAL RESTRICTIONS:

Winter Flounder: Commercial take prohibited from February 1 - May 31 in inshore waters where netting is restricted. These areas include bays and estuaries from Provincetown, along the "backside"of Cape Cod, Buzzards Bay and west to Mount Hope Bay [CMR 6.23(3)]. Mount Hope Bay is closed year-round [CMR 6.23].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **FISH WEIRS (also known as Fish Traps or Pound Nets)**

PERMIT REQUIRED: (1) Commercial Fishermen

		Resident	Non Res.
Boat	(Coastal or Offshore Lobster)	$260	$520
	(60 - 99 feet)	$195	$390
	(59 feet or less)	$130	$260
	or		
Individual		$65	$130

AND 2) Local town approval [Ch. 130 sec 29]

AND, if certain species are being taken or landed,
(3) Species-specific endorsements for summer flounder (fluke), scup, sea herring...$30/each

REPORTING REQUIREMENTS: Annual catch reports (Ch. 130 sec 33).

PERMIT RESTRICTIONS: In the following order, one must have approval from:

1) Local selectmen regarding the construction and location.
2) Division of Marine Fisheries [Ch. 130 sec.29].
3) Division of Waterways.

GEAR RESTRICTIONS:

· Inshore and offshore ends must be marked with DMF permit numbers signs or flags; numbers must be at least 6" in height [Ch.130 sec.30].

· Division of Waterways regulates the marking of traps for navigational criteria.

· To designate the "fish trap buffer zone", weir heads and leader must be marked with 12" orange inflated balls attached to anchor lines and marked with DMF assigned number. See CMR 4.04(3) for more details.

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
NONE	NONE	NONE

SPECIES BANNED TO THIS GEAR: Lobster [Ch. 130 sec.37]; Striped bass [CMR 6.07], shad [CMR 4.12], smelt [Ch.130 sec.35].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **LOBSTERING commercially with POTS in state waters.**

Not including lobstering with a student permit. See other appropriate summaries for details.

PERMIT REQUIRED:			Resident	Non. Resident
	(1)	Coastal Lobster	$260	$520
AND, if certain species are being taken or landed,				
	(2)	Species-specific endorsements for black sea bass, scup, etc.	$30	$60

PERMIT LIMIT: No new permits are being issued to lobster commercially in state waters. Existing permits are renewable and permit transfers are limited [CMR 7.03].

PERMIT RESTRICTIONS:

· Beginning in 1999, fishermen must choose which management area(s) they intend to fish and abide by the most restrictive rules for those area(s). As of January 2001, the only area specific restriction is a 5" maximum lobster size for fishermen fishing in or choosing Inshore Gulf of Maine (Area 1) [CMR 6.31]

· Trap hauling at night prohibited [Ch. 130 sec. 39].

REPORTING REQUIREMENTS: Annual catch reports [Ch.130 sec.38B].

GEAR RESTRICTIONS:

· Pot limit of 800 [CMR 6.13(2)].
· Year-specific trap tags required on all traps [CMR 6.31]
· Escape vent required in trap's parlor section must measure at least 1 15/16" x 5 3/4" or two circular vents must be at least 2-7/16" diameter [CMR 6.02(1)].
· Degradable 'ghost' panels required [CMR 6.02(2)].
· All traps, buoys and lobster cars must bear fisherman's license number [Ch. 130 sec.38 and CMR 3.07(1)].
· Fisherman's buoy colors must be displayed on vessel[Ch.130 sec.38A].
· Marking [CMR 4.13(3)]:
  Pots require a single 7"x 7" or 5" x 11" buoy; stick is optional.
  Trawls:East end - double buoy and one or more 3' sticks.
  West end - single buoy with 3' stick and flag.
  Note Boston Harbor exemption.
· Trawl maximum length: 2000 feet [CMR 4.13(5)].
· Vessel maximum size: 90 feet registered length [CMR 8.05].
· Use of multiple pot strings (trawls) is prohibited in the waters of Gosnold [Ch. 130 sec.37].
· Use of buoyed lobster cars is prohibited except in "inshore net areas" [CMR 6.14(2)].
· Use of floating line at the surface prohibited [CMR 12.03].

Special Cape Cod Bay Critical Habitat Gear Restrictions, Jan 1- May 15:

· Breakaway buoy line required [CMR 12.05]
· Lines between traps must be sinking [CMR 12.05]
· Single pots prohibited, must be at least 4-pot trawls with two buoy lines or two-pot "doubles" with just one buoy line [CMR 12.05].

· Buoys must be marked with "twin orange markers" [CMR 12.05 & 4.13(d)]
· Unlawful to mark fixed gear as required in CMR 4.13(3)(d) if pots are not properly rigged with features required in CMR 12.05.

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
Fish Weir Buffer Zone	Year-round	CMR 4.04
Upper New Bedford Hbr	Year-round	CMR 6.29
Upper Cape Cod Bay Whiting Area	October 1-November 20	CMR 8.14(1)(c)

Note: No landing of lobster Feb 1 - April 30 from 8:00 PM through 6:00 AM [CMR 6.25].

SPECIES BANNED TO THIS GEAR:

Edible crabs from Jan 1 - April 30 [Ch. 130 sec.40]; Egg-bearing lobsters [Ch.130 sec.41A]; V-notched female lobsters[CMR 6.02(3)]; Lobsters larger than 5" carapace length for fishermen who've chosen Area 1 as one of their fishing areas [322 CMR 6.01]. The catch of finfish and conch must not exceed the catch of lobster by weight, else a regulated fish pot fishery permit is required [CMR 6.12(2)].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **LOBSTERING commercially with POTS - using STUDENT lobster permit**

PERMIT REQUIRED:

	Resident	Non. Res.
(1)Student Lobster	$65	$130

REPORTING REQUIREMENTS: Annual catch reports [Ch.130 sec.38B].

PERMIT LIMIT: Permits are granted **only** to full-time students over the age of 12, but are not limited.

PERMIT RESTRICTIONS: Beginning in 1999, fishermen must choose which management area(s) they intend to fish and abide by the most restrictive rules for those area(s). As of January 2001, the only area specific restriction is a 5" maximum lobster size for fishermen fishing in or choosing Inshore Gulf of Maine (Area 1) [322 CMR 6.01]

· Trap hauling at night prohibited [Ch. 130 sec. 39].
· Fishing only allowed from June 15 - Sept. 15 [Ch. 130 sec.38]
· No more than 25 pots may be set [Ch. 130 sec.38].
· Night fishing is prohibited [Ch. 130 sec.39].
· Permit holder not allowed to tend traps authorized under recreational permit (e.g. another family member's traps).

GEAR RESTRICTIONS:
· Year specific trap tag with permit number must be attached to trap's cross member.
· Escape vent required in trap's parlor section must measure at least 1 15/16" x 5 3/4"" or two circular vents must be at least 2-7/16" diameter [CMR 6.02(1)].
· Degradable 'ghost' panels required [CMR 6.02(2)].
· All traps, buoys and lobster cars must bear fisherman's license number [Ch. 130 sec.38 and CMR 3.07(1)].
· Fisherman's buoy color scheme must be displayed on vessel [Ch.130 sec.38A].
· Marking [CMR 4.13(3)]:
Pots require a single 7"x 7" or 5" x 11" buoy; stick is optional.
Trawls: East end - double buoy and one or more 3' sticks.
West end - single buoy with 3' stick and flag.
Note Boston Harbor exemption.
· Trawl maximum length: 2000 feet [CMR 4.13(5)].
· Vessel maximum size: 90 feet registered length [CMR 8.05].
· Use of trawls is prohibited in the waters of Gosnold [Ch. 130 sec.37].
· Use of buoyed lobster cars is prohibited except in "inshore net areas" [CMR 6.14(2)].
· Use of floating line at the surface prohibited [CMR 12.03].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
All state waters	Sept 16 - June 14	Ch.130, sec.38
New Bedford Hbr	Year-round	CMR 6.29
Fish Weir Buffer Zone	Year-round	CMR 4.04

SPECIES BANNED TO THIS GEAR: Egg-bearing lobsters [Ch.130 sec.41A]; V-notched female lobsters [CMR 6.02(3)]; Lobsters larger than 5" carapace length for fishermen who've chosen Area 1 as one of their fishing areas.

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **LOBSTERING commercially with SCUBA in state waters.**

LICENSE REQUIRED:

	Resident	Non-resident
Coastal Lobster	$260	$520

PERMIT LIMIT: No new permits are being issued to lobster commercially in state waters. Existing permits are renewable and permit transfers are limited [CMR 7.03].

PERMIT RESTRICTIONS: Night fishing for lobsters is prohibited [Ch. 130 sec.39].

REPORTING REQUIREMENTS: Fishermen must submit annual catch reports [Ch. 130 sec.38b].

GEAR RESTRICTIONS: ·Scuba tank **and** floating marker must display permit numbers. Permit numbers shall be not less than 3 inches in height nor less than ½ inch in thickness or width of line [Ch. 130 sec. 38A and CMR 3.07(2)].

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
Fish Weir Buffer Zone	Year-round	CMR 4.04
New Bedford Hbr	Year-round	CMR 6.29

Note: No landing of lobster Feb 1 - April 30 from 8:00 PM through 6:00 AM [CMR 6.25].

SPECIES BANNED: Edible crabs from Jan 1 - April 30 [Ch. 130 sec.40]; Egg-bearing lobsters [Ch.130 sec.41A]; V-notched female lobsters [CMR 6.02(3)]; Lobsters larger than 5" carapace length for fishermen who've chosen Area 1 as one of their fishing areas [322 CMR 6.01].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **LOBSTERING recreationally with POTS or SCUBA using the Non-Commercial Lobster Permit.**

PERMIT REQUIRED:		Resident	Non. Res.
	Non-Commercial Lobster	$40	$60

REPORTING REQUIREMENTS:

· Annual Catch Report: number of pots set or hours diving and number of lobsters taken must be reported.

PERMIT RESTRICTIONS:

· Sale of lobsters and crabs prohibited (Ch. 130 sec. 38).
· No more than 10 pots may be set (Ch. 130 sec. 38).
· Trap hauling at night prohibited [Ch. 130 sec. 39].
· Non-residents must own $5,000 in Mass. real estate and temporarily reside in a Mass. coastal town [Ch. 130 sec. 38].
· Non-residents may only use the permit during June through September.

GEAR RESTRICTIONS:

· Escape vent required in trap's parlor section must measure at least 1 15/16" x 5 3/4"" or two circular vents must be at least 2-7/16" diameter [CMR 6.02(1)].
· Degradable 'ghost' panels required [CMR 6.02(2)].
· All traps, buoys and lobster cars must bear the letter "N" followed by the fisherman's license number [Ch. 130 sec.38 and CMR 3.07(1)].
· Fisherman's buoy color scheme must be displayed on vessel [Ch.130 sec.38A].
· Marking [CMR 4.13(3)]:
  Pots require a single 7"x 7" or 5" x 11" buoy; stick is optional.
  Trawls: East end - double buoy and one or more 3' sticks.
  West end - single buoy with 3' stick and flag.
  Note Boston Harbor exemption.
· Trawl maximum length: 2000 feet [CMR 4.13(5)].
· Vessel maximum size: 90 feet registered length [CMR 8.05].
· Use of trawls is prohibited in the waters of Gosnold [Ch. 130 sec.37].
· Use of buoyed lobster cars is prohibited except in "inshore net areas" [CMR 6.14(2)].
· Use of floating line at the surface prohibited [CMR 12.03].

Special Restrictions to reduce whale entanglement risk:

Fishermen must comply with at least one feature from the **Lobster Technology List** below. Those fishing in Cape Cod Bay Critical Habitat during May 16-Dec 31 must comply with at least two features. Those who fish in Critical Habitat during the right whale season (January - May 15) are subjected to tighter restrictions. See below.

Lobster Technology List [322 CMR 12.04]:

· All buoy lines are 7/16" diameter or less;
· All buoy lines attached to the buoy with a weak link of 1100 lbs. breaking strength;
· All buoy lines composed entirely of sinking line;
· Ground lines (between traps in a trawl) made of sinking lines.

Special Cape Cod Bay Critical Habitat Gear Restrictions, Jan 1- May 15:

· Breakaway buoy line required [CMR 12.05]
· Lines between traps must be sinking [CMR 12.05]
· Single pots prohibited, must be at least 4-pot trawls with two buoy lines or two-pot "doubles" with just one buoy line [CMR 12.05].
· Buoys must be marked with "twin orange markers" [CMR 12.05 & 4.13(d)]

Refer to Chapter 130 and 322 CMR for details.

AREA/SEASON CLOSURES:

LOCATION	DURATION	REGULATION
Fish Weir Buffer Zone	Year-round	CMR 4.04
New Bedford Harbor	Year-round	CMR 6.29

SPECIES BANNED TO THIS GEAR:

Edible crabs from Jan 1 - April 30 [Ch. 130 sec.40]; Egg-bearing lobsters [Ch.130 sec.41A]; V-notched female lobsters [CMR 6.02(3)]; Lobsters larger than 5" carapace length unless permit is restricted to use only in waters outside of Lobster Management Area 1 [322 CMR 6.01].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **POTTING for SEA BASS**

PERMIT REQUIRED:

(1) Commercial Fishermen	Resident	Non Res.
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Regulated fishery endorsement	$30	$60
AND, if certain other species are being taken or landed, (3) Species-specific endorsements for summer flounder (fluke), scup, ...	$30	$60

PERMIT LIMIT: Permits are limited to those fishermen who held a 1987 black sea bass Regulated fishery endorsement and reported activity in this fishery within 1988 - 1993 [CMR 6.12(3)]. Permits are transferrable. Fishermen who possess the Coastal Lobster permit may take finfish in their traps as long as the weight of fish and conch does not exceed the weight of lobster [CMR 6.12(2)].

PERMIT RESTRICTIONS: Night fishing (½ hour after sunset to ½ hour before sunrise) is prohibited [CMR 6.15(5a)].

REPORTING REQUIREMENTS: Annual catch reports.

GEAR RESTRICTIONS:

·Year specific trap tag with permit number must be attached to trap's cross member.
· Pot Limit of 200 combined sea bass and scup, or 350 if two permit holders fish from the same vessel [CMR 6.15(2g)].
· All buoys and pots must bear fisherman's permit number [CMR 6.12(4a)].
· Use of floating line at the surface prohibited [CMR 12.03].
· Marking [CMR 4.13(3)]:
Pots require a single buoy (7"x 7"or 5"x 11"); stick optional with no flag.
Trawls:East end - double buoy and one or more 3' sticks.
West end - single buoy with 3' stick and flag.
· All fish pots require accepted ghost panel [CMR 6.12(9)].
· Escape vent required in trap's parlor section must measure at least 1 1/8" x 5 3/4"" or a circular vent at least 2" diameter [CMR 6.12(10)]
· Trawl maximum length: 2000 feet [CMR 4.13(5)].
· Vessel maximum size: 90 feet registered length [CMR 8.05].
· Use of trawls is prohibited in the waters of Gosnold [Ch. 130 sec.37].
· All vessels must display buoy color scheme [CMR 6.12(4)].

SPECIES BANNED TO THIS GEAR: Edible crabs from January 1- April 30 [Ch. 130 sec.40]; Lobster (one needs a commercial lobster permit to take lobster).

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **POTTING for Conch, Scup, or other species (excluding SEA BASS)**

PERMIT REQUIRED:

	Resident	Non Res.
(1) Commercial Fishermen		
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
Shellfish (conch only)	$40	$80
AND (2) Regulated fishery endorsement	$30	$60

PERMIT LIMIT: Permits are limited to those fishermen who held a Regulated fishery endorsement for scup and/or for conch prior to August 17, 1990 and are transferable [CMR 6.12(3)].

PERMIT RESTRICTIONS: Conch pot fishery closed from Dec. 15 - April 14 [CMR 6.12(6)].
All conchs must be landed whole in the shell [CMR 6.21]

REPORTING REQUIREMENTS: Pot fishermen must submit catch reports annually.

GEAR RESTRICTIONS:

- Year specific trap tag with permit number must be attached to trap's cross member.
- Trap limit for conch potters, 200 pots; for scup potters 50 pots [CMR 6.15(2)].
- Conch pots defined as lacking side heads or horizontal laths [CMR 6.12(1)].
- All pots and buoys must bear fisherman's permit number [CMR 6.12(4)].
- Marking [CMR 4.13(3)]:
  Pots require a single buoy (7"x 7" or 5" x 11"); stick optional with no flag.
  Trawls: East end - double buoy and one or more 3' sticks.
  West end - single buoy with 3' stick and flag.
- All fish pots require accepted ghost panel [CMR 6.12(9)].
- Escape vent required and must measure at least 2.25" square or circular vents of at least 3.1" diameter [CMR 6.12(10)]
- Trawl maximum length: 2000 feet [CMR 4.13(5)].
- Vessel maximum size: 90 feet registered length [CMR 8.05].
- Use of trawls is prohibited in the Waters of Gosnold [Ch. 130 sec.37].
- All vessels must display buoy color scheme [CMR 6.12(4)].

SPECIES BANNED TO THIS GEAR: Edible crabs from Jan 1 - April 30 [Ch. 130 sec.40]; Lobster (one needs a commercial lobster permit to take lobster).

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **COMMERCIAL SHELLFISHING (OTHER THAN DREDGING FOR SURF CLAM, OCEAN QUAHOGS OR POTTING CONCHS)**

In approved waters:

PERMIT REQUIRED: 1) License from respective coastal municipality [Ch. 130, sections 52 & 53].

And

2) Commercial fishermen license endorsed for shellfish required to sell shellfish harvested from approved waters [Ch. 130, sections 75 & 83].

Licenses endorsed for Shellfish

Commercial Shellfish	Resident	Non Resident
Coastal Lobster	$260	$520
Large Boat (60' - 90')	$195	$390
Small Boat (0' - 59')	$130	$260
Individual	$65	$130
Shellfish	$40	$80
Rod & Reel (Shellfish)	$55	$130

In certain restricted or conditionally restricted areas, as designated by DMF :

PERMIT REQUIRED: 1) License from respective coastal municipality [Ch. 130, sections 52 & 53].

And

2) Special license to harvest, possess and sell shellfish from restricted areas [322 CMR 7.01 & 7.02].

Special Shellfish Permits	Resident	Non Resident
Master Digger	$130	$260
Subordinate Digger	$40	$80

Note: As of 1997, DMF no longer permits harvest of contaminated soft shelled clams for bait.

REPORTING REQUIREMENTS: Yearly catch reports required for shellfishermen harvesting in approved waters. Cities and towns generally require a yearly catch report at the time of license renewal. Master diggers reporting as noted in the special permit requirements.

GEAR RESTRICTIONS: Subject to town authority (Ch. 130, s52).

Refer to Chapter 130 and 322 CMR for details.

CLOSURES: **Shellfish growing waters may be closed to the harvest of shellfish as a result of:**

1. Public health closure based upon water quality, e.g. bacteria or oil spill. (Ch. 130, section 74, 74A & 75).

2. Marine Biotoxin closure based upon the presence of toxin above NSSP closure levels in raw shellfish (Ch. 130, section 74A).

3. DMF Management Closure (MC) based upon the lack of a DMF shellfish sanitary survey, triennial report or NSSP required number of water samples (Ch. 130, section 2, 17, 17A, 74, 75, 80 & 104; 322 CMR 7.01 (7))

4. Municipal management closure based upon the closure of an area for management or propagation purposes (Ch. 130, section 54).

5. Ch. 130, section 71 establishes a closed harvest season for bay scallops April 1 to October 1 each year. Municipalities may modify bay scallop season within the above mentioned season [Ch. 130, section 73].

Catch (possession) limits subject to town or city regulation

Size Limits: Subject to state law or regulation as listed:

CATCH LIMITS and SIZE LIMITS for SHELLFISH and other INVERTEBRATES:

INVERTEBRATES	MINIMUM SIZE	OTHER RESTRICTIONS
BLUE CRAB	4⅛" shell width (spine to spine)	open season May 1 - Dec. 31 egg-bearers cannot be taken
LOBSTER	3¼" carapace length 5" maximum size in Area I	egg-bearers & v-notched females, cannot be possessed
SEA URCHIN	2" diameter excluding spines	open season(comm.) 9/1 - 4/30
CONCH	2¾" shell width, 322 CMR 6.21	Consult town regulations
OYSTER	3" shell diameter, 322 CMR 6.20	Consult town regulations
QUAHOG	1" shell thickness, 322 CMR 6.20	Consult town regulations
SEA SCALLOP	3½" shell height, 322 CMR 6.05	
SOFT-SHELL CLAM	2" shell diameter, 322 CMR 6.20	Consult town regulations
BAY SCALLOPS	Well-defined growth ring	Consult town regulations: closed season April 1 - Oct 1
SURF CLAM	5" shell diameter, 322 CMR 6.08	Possession limits

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **SEA URCHIN FISHERY with SCUBA**

PERMIT REQUIRED:

INDIVIDUAL DIVER

	Resident	Non Res.
(1) Commercial Fishermen Individual	$65	$130
AND (2) Regulated fishery endorsement	$30	$60

TENDER BOAT ***(Disregard if each individual on board is permitted as above.)***

	Resident	Non Res.
(1) Commercial Fishermen		
Boat 99+ feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
AND (2) Regulated fishery endorsement	$30	$60

GEAR RESTRICTIONS: · Vessel maximum size: 90 feet registered length [CMR 8.05].

AREA/SEASON CLOSURES: · May 1 - August 31 closed season [CMR 6.24(3)].

SPECIES BANNED TO THIS GEAR: ·No bycatch of regulated species allowed, including any finfish, lobsters, or shellfish [CMR 6.24(7)(b)].
· Sublegal urchins must be culled and returned immediately [CMR 6.24(2)].

Refer to Chapter 130 and 322 CMR for details.

FISHERY: **SEA URCHIN FISHERY using DREDGES**

PERMIT REQUIRED:

	Resident	Non Res.
(1) Commercial Fishermen		
Boat 99 feet Coastal or Offshore Lobster	$260	$520
Boat 60 - 99 feet	$195	$390
Boat 59 feet or less	$130	$260
or		
Individual	$65	$130
AND (2) Regulated fishery endorsement	$30	$60
AND (3) Coastal Access Permit (if fishing with dredge greater than 48 inches in waters open to mobile gear fishing)	$30	$60

PERMIT LIMIT:
· Coastal Access Permits limited to those who held a permit in 1994 and are transferable [CMR 7.05(13)].

GEAR RESTRICTIONS:
· Limited to single dredge of 48 inches effective fishing width if fishing in areas closed to mobile gear (spare may be stowed on board) [CMR 6.24(4)(a,b)].

Also:
· Frame constructed of 3/4" (or smaller) stock with skids 3' or less.
· Chain sweep constructed of no more than 1/4" in a single layer square pattern less than 4.5' long.
· Twine codend maximum 5' long.
· Chafing gear constructed of twine or rubber mat maximum 5' long and 4' wide.
· Cable for towing dredge: maximum diameter 3/8" cable or 5/8" rope.
· Limited to use and possession of dredge or combination of dredges. with an effective fishing width of 10 feet when fishing in areas open to mobile gear [CMR 6.24(4)(c,d)].
· Vessel maximum size: 90 feet registered length [CMR 7.05 (13)].

AREA/SEASON CLOSURES:
· All state waters closed to night fishing year-round [CMR 8.03, 6.24(7)(a)].
· March 1 – Oct 31 is closed season for harvesting urchins with mobile gear [CMR 6.24(3)]

· If fishing with dredge greater than 48" see mobile gear summaries for areas open to mobile gear.

SPECIES BANNED TO THIS GEAR:
·No bycatch of regulated species allowed, including any finfish, lobsters, or shellfish [CMR 6.24(6)(b)].
· Sublegal urchins must be culled and returned immediately [CMR 6.24(2)(b)].

Refer to Chapter 130 and 322 CMR for details.

FINFISH MINIMUM SIZE AND POSSESSION LIMITS

MINIMUM SIZE LIMITS

(1) Commercial and Recreational Fishermen. It is unlawful for any person to possess:
- (a) Black sea bass less than 12" total length not including the tail tendril as established by 322 CMR 8.06.
- (b) Eels less than 6" total length as established by 322 CMR 6.30.
- (c) Dab less than 14" total length as established by 322 CMR 6.09.
- (d) Gray sole less than 14" total length as established by 322 CMR 6.09.
- (e) Monkfish less than 17" total length or monkfish tails less than 11" as established by 322 CMR 8.06.
- (f) Redfish less than 9" total length as established by 322 CMR 8.06.
- (g) Scup less than 9" total length as established by 322 CMR 8.06.
- (h) Tautog less than 16" total length as established by 322 CMR 8.06.
- (i) Weakfish less than 16" total length as established by 322 CMR 8.06.
- (j) Windowpane flounder less than 12" total length as established by 322 CMR 6.09.
- (k) Winter flounder less than 12" total length as established by 322 CMR 6.09.
- (l) Yellowtail flounder less than 13" total length as established by 322 CMR 6.03.

(2) Commercial Fishermen. It is unlawful for any commercial fisherman to possess:
- (a) Cod less than 19" total length as established by 322 CMR 6.03.
- (b) Haddock less than 19" total length as established by 322 CMR 6.03.
- (c) Pollock less than 19" total length as established by 322 CMR 6.03.
- (d) Striped bass less than 34" total length as established by 322 CMR 6.07.
- (e) Summer flounder less than 14" total length as established by 322 CMR 6.09.
- (f) Spiny dogfish less than 31" total length as established by 322 CMR 6.35.

(3) Recreational Fishermen. It is unlawful for any recreational fisherman to possess:
- (a) Cod less than 21" total length as established by 322 CMR 6.03.
- (b) Haddock less than 21" total length as established by 322 CMR 6.03.
- (c) Blue marlin less than 86" fork length as established by 322 CMR 6.11.
- (d) Sailfish less than 57" fork length as established by 322 CMR 6.11.
- (e) Striped bass less than 28" total length as established by 322 CMR 6.07.
- (f) Summer flounder less than 15½" total length as established by 322 CMR 6.09.
- (g) White marlin less than 62" fork length as established by 322 CMR 6.11.

POSSESSION LIMITS

(1) Recreational Fishermen. It is unlawful for any recreational fisherman to possess at any one time more than:
- (a) 20 black sea bass as established by 322 CMR 8.06.
- (b) 1 blue marlin as established by 322 CMR 6.11.
- (c) 10 bluefish as established by 322 CMR 6.18.
- (d) 10 cod and haddock in any combination as established by 322 CMR 6.03.
- (e) 1 sailfish as established by 322 CMR 6.11.
- (f) 25 scup as established by 322 CMR 8.06 (100 fish/boat, charter/party boats exempt).
- (g) 1 striped bass as established by 322 CMR 6.07.
- (h) 8 summer flounder as established by 322 CMR 6.22.
- (i) 6 tautog as established by 322 CMR 8.06.
- (j) 1 white marlin as established by 322 CMR 6.11.
- (k) 10 winter flounder during the open period of May 1 through the last day of February, inclusive.
- (l) 6 shad as established by 322 CMR 8.06.
- (m) 50 eels as established by 322 CMR 6.30.

(2) Seasonal Restrictions. It is unlawful for any recreational fisherman to possess winter flounder during the closed period of March 1 - April 30, inclusive as established by 322 CMR 6.23.
It is unlawful for any recreational fisherman to possess summer flounder during the closed period of October 3 - May 9, inclusive as established by 322 CMR 6.22; this will likely change in 2001.
It is unlawful for any commercial fisherman to possess tautog outside of the open periods of April 16-May 15 and July 11-October 3 inclusive as established by 322 CMR 8.13.
It is unlawful for any commercial fisherman to possess striped bass outside of the open period of July 3 until quota is reached and on no fishing days during open period as established by 322 CMR 6.07.

(3) Commercial Fishermen. It is unlawful for any commercial fisherman to possess more than:
- (a) the daily allowance for black sea bass as established by 322 CMR 6.28
- (b) the daily allowance for bluefish as established by 322 CMR 4.05
- (c) 400 pounds of cod caught in waters under the jurisdiction of the Commonwealth south of 42 00'N. latitude including all waters of Cape Cod Bay as established by 322 CMR 6.03.
- (d) the daily allowance for fluke as established by 322 CMR 6.22
- (e) the daily allowance for scup as established by 322 CMR 6.28
- (f) the daily allowance for striped bass as established by 322 CMR 6.07
- (g) 40 tautog at any one time as established by 322 CMR 8.06.
- (h) 6 shad as established by 322 CMR 8.06. (It is unlawful to possess shad taken by nets Ch 130, s100c)
- (i) unlawful to possess sea herring during times and areas defined in CMR 9.02.
- (j) 1000 horseshoe crabs during any 24 hour period starting at 12PM and no harvesting on Saturday and Sundays as established by CMR 6.34.
- (k) the daily allowance of spiny dogfish as established by 322 CMR 6.35.

(4) Sturgeon. It is unlawful for any person to land or possess any Atlantic sturgeon or the endangered short-nosed sturgeon as established by 322 CMR 6.16.